

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see "Remarks", filed 23 June 2008, with respect to the rejection(s) of claim(s) 1-16 under Lee have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of US Patent No 5,610,760 to Drenton et al., see below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,610,760 to Drenton et al.

4. Regarding Claim 1, Drenton describes a planar light wave circuit (see Figure 9) comprising a substrate (11), a pair of waveguides (33, 37) formed on said substrate, and a coupling region (39) wherein said waveguides extend parallel to one another without touching but close enough to enable coupling between the waveguides (Col 9 Lns 45-50), at least one of said waveguides being segmented in said coupling region (see Fig 9 and Col 3 Lns 5-10), said waveguides including their lengths in the coupling region (see Figure 9).

5. Regarding Claim 3, Drenton describes one of said waveguides as segmented by having at least two gaps along the length of said waveguide in said coupling region (see Figure 9).

6. Regarding Claim 5, Drenton describes the gaps as regularly sized along the length of said coupling region (see Figure 9).

Allowable Subject Matter

7. Claims 6-16 are allowed.

8. Claims 2 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 2 and 11-16 describe both of the waveguides including gaps or segmented in the coupling region.

10. Claim 4 describes the gaps as irregularly sized.

11. Claims 6-10 describe coupling a pair of light signals.

12. This is subject matter not described or reasonably suggested, in conjunction with the further limitations of the present claims, by the prior art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JERRY T. RAHLL whose telephone number is (571)272-2356. The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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